

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

GLORIA J. RUZICKA,

Plaintiff,

vs.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant

No. C09-0163

**ORDER GRANTING APPLICATION
FOR ATTORNEY FEES**

This matter comes before the Court on the Motion for Attorneys Fees Under the Equal Access to Justice Act (docket number 21) filed by the Plaintiff on February 1, 2011. Plaintiff requests that the Court order attorney fees in the amount of \$4,986.76. In his response (docket number 22) filed on February 15, 2011, Defendant indicates the parties “have agreed to an award of EAJA fees and expenses in the amount of \$4,794.29.” The response states that, “[i]n accordance with *Astrue v. Ratliff*, _____ U.S. _____, 130 S. Ct. 2521 (2010), the EAJA fee is payable to plaintiff as the litigant and may be subject to offset to satisfy a pre-existing debt the litigant may owe to the United States.”¹ The response indicates that any EAJA payment made to Plaintiff shall be mailed to Plaintiff’s counsel.

ORDER

IT IS THEREFORE ORDERED that Plaintiff’s Motion for Attorneys Fees (docket number 21) is **GRANTED**. Judgment will be entered in favor of the Plaintiff for attorney fees and expenses in the amount of Four Thousand Seven Hundred Ninety-Four Dollars

¹ See Defendant’s Response to Plaintiff’s Application for Attorney Fees Pursuant to the Equal Access to Justice Act (docket number 22 at 2).

and twenty-nine cents (\$4,794.29) to be paid by the Social Security Administration and costs in the amount of Three Hundred Fifty Dollars (\$350.00) to be paid by the Judgment Fund administered by the Department of the Treasury.

DATED this 15th day of February, 2011.



JON STUART SCOLES
UNITED STATES MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA